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BANK OF AMERICA, N.A.,

Plaintiff,

vs.

FIDELITY NATIONAL TITLE GROUP,  
INC.; CHICAGO TITLE INSURANCE  
COMPANY; TICOR TITLE OF NEVADA,  
INC.,

Defendants.

Case No.: 3:20-cv-00046-MMD-CSD

**STIPULATION AND ORDER TO  
DEFER BRIEFING RE DEUTSCHE  
BANK OPINION PER COURT'S  
NOVEMBER 3, 2023 MINUTE ORDER  
[ECF NO. 109]**

**(FIRST REQUEST)**

Defendants Fidelity National Title Group, Inc., Chicago Title Insurance Company, and Ticor Title of Nevada, Inc. (“Defendants”) on the one hand, and Plaintiff Bank of America, N.A. (“Plaintiff”) on the other hand (collectively, the “Parties”), by and through their respective attorneys of record, hereby agree and stipulate as follows:

1. On October 12, 2023, the Nevada Supreme Court issued its opinion in *Deutsche Bank Nat’l Trust Co. v. Fidelity Nat’l Title Ins. Co.*, Nev. Sup. Ct. Case No. 84161, 139 Nev. Adv. Op. 45, 536 P.3d 915, 2023 WL 6630672 (Nev. 2023) (“*Deutsche Bank*”).
2. On October 30, 2023, Plaintiff filed a Petition for Rehearing in *Deutsche Bank*.
3. On November 3, 2023, the Court issued a Minute Order ordering the parties to file simultaneous, supplemental briefs within 15 days on the impact of the *Deutsche Bank* opinion, if any, on all pending motions in this case, as the Court finds that such briefing is important for the accurate resolution of the pending motions (“Supplemental Briefs”) (ECF No. 109).
4. The current deadline for the parties to file the Supplemental Briefs is Friday, November 17, 2023.<sup>1</sup>
5. Plaintiff’s Petition for Rehearing is pending and the remittitur has not yet issued in *Deutsche Bank*.
6. In the interests of judicial economy and to avoid inconsistent rulings, the Parties stipulate and request that the Court extend the deadline to file the Supplemental Briefs until fourteen (14) days after the issuance of the remittitur in *Deutsche Bank*.
7. None of the Parties oppose the requested extension.

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<sup>1</sup> The 15-day deadline from November 3, 2023 is Saturday, November 18, 2023.

8. This is the Parties' first request for extension, which the Parties represent is made in good faith and not for the purposes of delay.

**IT IS SO STIPULATED.**

DATED this 7th day of November, 2023.

DATED this 7th day of November, 2023.

EARLY SULLIVAN WRIGHT  
GIZER & McRAE LLP

WRIGHT, FINLAY & ZAK, LLP

/s/ Sophia S. Lau  
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/s/ Lindsay D. Dragon  
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Las Vegas, NV 89117  
*Attorneys for Plaintiff*

**IT IS SO ORDERED.**

DATED: November 8, 2023

By:   
MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify that on November 7, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the Electronic Service List for this Case.

I declare under penalty of perjury under the laws of the United State of America that the foregoing is true and correct.

/s/ Robie Ann Atienza-Jones

ROBIE ANN ATIENZA-JONES  
An Employee of EARLY SULLIVAN  
WRIGHT GIZER & McRAE LLP

